



City of Carmel

Carmel Advisory Board of Zoning Appeals Special Meeting Thursday, June 30, 2005

The Special Meeting of the Carmel Board of Zoning Appeals met at 6:00 PM on Thursday, June 30, 2005, in the Council Chambers of City Hall, Carmel, Indiana. The meeting was called to order at 6:10 PM with the Pledge of Allegiance.

Members in attendance were Leo Dierckman, James Hawkins, Earlene Plavchak and Madeleine Torres, thereby establishing a quorum. Angie Conn, Mike Hollibaugh and Nathan Anderson represented the Department of Community Services. John Molitor, Legal Counsel, was also present.

Mr. Dierckman moved to approve the minutes of the May 23, 2005 meeting as submitted. The motion was seconded by Mr. Hawkins and **APPROVED 4-0.**

Mr. Molitor gave the Legal Report. He stated that the Department of Community Services had received an email from Tom Gjerde regarding the River Road Soccer Complex. Copies of the email had been given to the Board members. He advised that the Staff should write back to Mr. Gjerde and inform him that it was too late for the Board to consider this issue. The matter was dealt with at the April 25, 2005 meeting and any lawsuit would have had to be filed by May 25, 2005. To his knowledge, nothing had been filed. Mr. Gjerde can take his grievance to the School Board. The second item had been discussed in Executive Session a few times and the Board was familiar with the issue. The Court proceedings out of the 2002 Board Decision regarding Martin Marietta Materials have been extended. It finally resulted in recent weeks in a joint motion being submitted by the attorneys for the Board and the attorneys for Martin Marietta requesting that the Court remand to this Board the issue of the Use Variance regarding the relocation of the processing plant from the west side of Hazel Dell Parkway to the east side of Hazel Dell Parkway. That was one of five decisions made by the Board that evening, all by a 2-3 vote. By virtue of discussions of the parties to the lawsuit and with the Board members, it was concluded that there may have been an unintentional vote by the Board members on that particular item. Thus there was an agreement among the parties that this matter should be remanded to the Board for further proceedings and if the Board so decides, for a re-vote on that particular variance. His recommendation would be that the Board take up the issue of the remanded Use Variance petition at the same time as the Mueller South Commitments Amendment, Item 4h on this agenda. If the Board so desires, it may make sense for the Board to take a re-vote on the Use Variance petition before it makes a decision regarding the Commitment Amendments. It would require a motion by the Board in order to take up this issue in conjunction with the Public Hearing under Agenda Item 4h.

Mr. Dierckman asked if there was a notice issue.

Mr. Molitor stated that when the Court remanded the issue, it was to deal with a technical defect in the proceedings in 2002. There is case law to the effect that the Board should not re-hear the matter, but

should only deal with the procedural effect. He thought the Board could deal with it without taking any additional testimony. But since it relates to the items being discussed under 4h, his recommendation was that it be considered in conjunction with it. It would help with the Board's and public's understanding of the issue.

Mr. Hawkins asked if it would be Petition UV-23-02 or if it would be incorporated into the new docket number.

Mr. Molitor stated that it was still the same petition as submitted in 2002 and would be UV-23-02.

Mr. Dierckman moved to adjust the agenda. The motion was seconded by Mrs. Torres and **APPROVED 4-0.**

Mr. Dierckman asked about the Dockets for the O'Malia Fireplace Shop Expansion that had been tabled on the agenda for a long time. He thought it was in the Rules that if items were not being actively pursued, than they went away.

Mrs. Conn felt it could be removed. She wasn't sure if they had made Public Notice.

Mr. Molitor stated that Mr. Dierckman was correct. If no action had been taken after tabling at a regularly scheduled hearing, then the BZA may vote to dismiss the petition for lack of prosecution. He did not know if the Staff had had any communication from the Petitioner.

Mrs. Conn stated that this item was also before the Plan Commission Sub-Committee and had also been tabled on that agenda. In turn it was tabled on the BZA agenda. She did not know why they had been tabled so many times. She thought they were probably trying to work out design issues.

Mr. Molitor thought they might be concerned about another filing fee if they had to re-file, but the Board could waive the fee.

Mr. Dierckman moved to dismiss **Items 1-3h, O'Malia Fireplace Shop Expansion, Docket Nos. 04100017, 04100018, and 04110009.** The motion was seconded by Mr. Hawkins and **APPROVED 4-0.**

H. Public Hearing.

1-3h. TABLED O'Malia Fireplace Shop Expansion

~~The applicant seeks the following development standards variances:~~

~~**Docket No. 04100017 V** Chapter 12.04.02 — front yard setback~~

~~**Docket No. 04100018 V** Chapter 27.03.02 — no curbed parking~~

~~**Docket No. 04110009 V** Chapter 26.04.05 buffer yard requirements~~

~~The site is located at 220 S Range Line Rd. The site is zoned B-1/Business.~~

~~Filed by Paul Reis of Drewry Simmons Pitts & Vornehm for the Helen J. O'Malia Trust.~~

4h. Martin Marietta Materials - Mueller Property South (2 items)
Added to agenda: Docket No. UV-23-02

The petitioner seeks approval of a Use Variance in a permitted use in order to establish a sand and gravel processing plant, essentially the relocation.

Mueller Property South

Petitioner seeks commitment amendment approval to mine this property after Mueller North.

Docket No. 05060014 CA commitment amendment

The site is located at the southwest corner of the intersection of East 106th Street and Hazel Dell Parkway. The site is zoned S-1/Residence - Low Density.

Filed by Zeff Weiss of Ice Miller for Martin Marietta Materials, Inc.

Present for the Petitioner: Zeff Weiss, Ice Miller, 3400 One America Square, Indianapolis. Also present were John Tiberi and Dan Hoskins, Martin Marietta, and Jacob Cox, a summer intern.

He stated that Mr. Molitor had given a good history of the Docket UV-23-02 which was heard in 2002. For the record, he wanted to make sure that all the prior testimony was adopted. This was a separate petition, among five petitions, to relocate Carmel Sand Plant from its existing location. It is 816 feet from Kingswood and has been for a considerable period of time. They believed that as a result of confusion in 2002, this petition got washed up into the other petitions and the initial vote was not to permit the relocation. He believed all parties involved, Kingswood neighbors, the Staff, and Martin Marietta, believed it was in the best interest of the community to relocate the plant to a site which is approximately 2341 feet from Kingswood. They have been before the Board for petitions for sand and gravel for Mueller North and Mueller South with various commitments. In the commitments made and discussions with Kingswood in regard to Mueller North, they had agreed to request the remand and bring before the Board the opportunity to relocate the plant. By moving it away, it will be less intrusive with less noise. The timing was discussed in the Statement of Commitments. The revised set of Statement of Commitments reflects some changes that are necessary as the result of timing. The original commitments anticipated moving the plant between 2003 and 2004. They are now proposing to shut down the plant and cease operations no later than December 31, 2005. There was discussion in the Commitments regarding the existing driveway, tree buffer, maintaining the perimeter, and adhering to the special conditions that were set forth in the certificate of approval granted by the Indiana Department of Natural Resources in 2001.

The modification of the Commitments for Mueller South would be Item 1a, stating three to five years to mine Mueller South and no later than seven years from the commencement of mining. The neighbors would prefer that they work on Mueller North first. They are willing to do that if they can get the modification for Mueller South changed to seven years after they finish with Mueller North. The Commitments for Mueller North are for eighteen years after commencement, but they expect to be out in eight to fourteen years. If things go well, they could possibly be out of both locations in thirteen years. The Commitment modification was attached as Exhibit A to the proposed ballot. The Findings of Fact basically recite the purpose for which they are modifying the Commitments. They had noticed today's hearing in accordance with Indiana State Statute giving more than ten days notice by certified mail, return receipt requested. He requested that they waive the BZA rules for a longer period of time between the date of the notice and the hearing. The Staff had been agreeable to that. In order to get both of these petitions in front of the Board at the same time for consideration, they needed the waiver.

Public Comments:

Bernard Lally, 11087 Huntington Court in Kingswood. He lives directly west of the plant and wanted to know if they would be mining the area where the plant sets.

Mr. Weiss indicated that would be part of Mueller North.

Mrs. Conn gave the Department Report. The Department is in favor of having the Board suspend the rules in order for the Petition to have ten days notice instead of twenty-five. Mr. Weiss had summed up the issues and the Department recommends positive consideration of both Dockets.

Mr. Dierckman moved to suspend the rules. The motion was seconded by Mrs. Torres and **APPROVED 4-0.**

Mr. Hawkins asked Mr. Molitor about incorporating the previous discussion regarding the petition and if that included the buffer area.

Mr. Weiss stated that the buffer area did not pertain to the Carmel Sand Plant but to variances that were addressed in Mueller North and Mueller South. The trees are referenced in the Commitments and will stay with only a minor modification where the road takes a bend.

Mr. Molitor stated that part of the 2002 decision of the Board regarding the Mueller North parcel was to deny two variances that were sought of the setback between the neighborhood and Mueller North and between Carmelot Park and Mueller North. The Board did deny those and they are still pending in the Court proceedings. The Court case may get dismissed or it may get remanded to the Board at another time.

Mr. Hawkins asked if there was any intention of turning the processing plant into an asphalt or concrete plant.

Mr. Weiss stated there was not.

Mr. Dierckman moved to approve **Docket No. UV-23-02, Mueller South, plant relocation.** The motion was seconded by Mrs. Torres and **APPROVED 4-0.**

Mr. Dierckman moved to approve **Docket No. 05060014 CA, Mueller South, commitment amendment.** The motion was seconded by Mr. Hawkins and **APPROVED 4-0.**

Mr. Dierckman left the meeting at this time. Mr. Broach joined the Board at this point in the meeting.

5-10h. Fidelity on Meridian

The applicant seeks the following development standards variance approvals:

Docket No. 05050037 V	Chapter 23B.08.06.A percent parcel coverage
Docket No. 05050038 V	Chapter 25.07.02-10b signage oriented west
Docket No. 05050039 V	Chapter 25.07.02-10b number of signs per tenant
Docket No. 05050040 V	Chapter 23B.05.02 percent of retail use
Docket No. 05050041 V	Chapter 23B.10.02.C plantings adjacent to building

Docket No. 05050042 V Chapter 23B.12.A parking requirements
The site is located at 11450 N Meridian and is zoned B-6/Business within the US 31 Overlay.
Filed by Charlie Frankenberger of Nelson & Frankenberger for JRR Meridian, LLC.

Present for the Petitioner: Charlie Frankenberger, 6212 Carrington Circle, John Robinson and Chris McComas. They received ADLS and DP Amend approval on June 21, 2005 to replace the existing building with an upscale office retail building. The 2.36 acres on the south side of 116th Street and the west side of US 31 in the Fidelity Plaza was shown on an aerial photograph. A private street runs south off of 116th Street. A rendering of the proposed building was shown. The US 31 Overlay permits 65 percent parcel coverage. The variance is for 85 percent coverage. The two sign variances are to permit signage on both the east elevation facing Meridian as well as the west elevation. One hundred and five square feet of signage is permitted on the east elevation. A variance is needed for the west elevation signage facing a private street. Vehicular access is from this private street on the west side of the building. The second sign variance is to permit four signs on the east side totally 130 square feet and four signs on the west side totally 80 square feet for a total of 210 square feet. The signs are consistent with what is already in Fidelity Plaza. They will be off-white signs. The US 31 Overlay permits 30 percent of any building to be utilized for retail use provided that the total square footage for all retail uses in all buildings does not exceed 15 percent. This variance would permit 39 percent of the proposed building to be retail. This represents 12,185 square feet. With this variance the total amount of retail in the buildings is still less than 15 percent. They had originally proposed 30 percent, but at Plan Commission they were encouraged to consider increasing this in recognition of the absence of retail in the area, especially considering the Clarian Hospital in the area. The US 31 Overlay requires a 25-foot planting strip adjacent to the US 31 building frontage. They are requesting a variance to permit a 10-foot landscape area including a sidewalk. As indicated in the Staff Report, the landscape area is comparable to the overall Fidelity Plaza. The final variance is to permit parking in front of the building. They will be providing parking spaces comparable to the overall Fidelity Plaza development. These variances are necessary, along with the DP/ADLS approval, to achieve the redevelopment.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Public Hearing was closed.

Mrs. Conn gave the Department Report. This petition has been before TAC and Plan Commission for final approvals. The Department recommends positive consideration of all six dockets.

Mrs. Plavchak moved to approve **Docket Nos. 05050037V through 05050042V, Fidelity on Meridian**. The motion was seconded by Mr. Hawkins and all dockets were **APPROVED 4-0**.

11-12h. David Wilkinson, lots 17 pt-18 pt - Commercial Kitchen

The applicant seeks use variance approval for a commercial kitchen & offices.

Docket No. 05050043 UV Chapter 9.01 permitted uses

~~**Docket No. 05050044 V** Chapter 23D.03.C.1.a(iii) 70% max. lot cover~~
WITHDRAWN

Docket No. 05050045 V Chapter 27.03 paved/curbed parking area

The site is located at 21 Fifth Street NE and is zoned R-3/Residential within the Old Town Character Sub-area. Filed by Gayle Helart.

Present for the Petitioner: Gayle Helart, owner since March 2005. She shared pictures with the Board of the property. Each level is approximately 672 square feet. There is no basement. There is a detached garage built out of cinder block. She purchased the property in order to start a food-based business. Food-based businesses are prohibited in the home by the Health Department. People need to rent space from a licensed kitchen, such a restaurant or a church which are usually busy with their own activities. She decided she wanted to own a licensed kitchen and offer her space to others wanting a food-based business. She chose this property because it is in a good location for personal safety late at night. This property is just off Range Line Road and there is already a very good mix of residential and business properties in the area. Doug Canull will be her contractor for the renovations. It needs new plumbing, heating, electricity, walls, windows, roof and bathroom, plus a bathroom added on the second level. They have placed dormers on the front and back upstairs rooms to increase the space and help the aesthetics of the roof line. The entire outside will be painted and cleaned up. Mack Architects prepared the drawings and Chris Mack was available for questions. She intended to rent the house to one or two small businesses for revenue. The garage will be transformed into a large kitchen and used for the commercial kitchen for proper licensing from the Health Department. She will rent the kitchen space to others who want to do a food-based business. She has made contacts with the Health Departments in Hamilton and Marion Counties asking them to send people her way. She has received four phone calls from people interested in food businesses of cookies and candies, etc. The lot will be 62 percent covered which is under the 70 percent limit. Parking has been planned for a gravel lot at the back of the property. She asked for gravel instead of pavement because of the cost involved. She did not expect any retail customers coming to the business because after the food is prepared it will be delivered from the premises. She will request any small business tenants to park in the back, as well as visitors. She had not had any opposition from any of the adjacent property owners. She had contacted a number of them personally. They expressed positive thoughts and were happy the property would be repaired. They only expressed concern that the parking would not interfere with their parking. There are two multi-tenant units across the street.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Mrs. Conn gave the Department Report. With the Arts District in Old Town, this use would fall into place along with the other uses. The residential character of the house would be maintained. The Comprehensive Plan recommends that Old Town be street-oriented retail and office uses. The Department recommends positive consideration.

Mrs. Plavchak asked about the access to the second floor for a tenant.

Ms. Helart stated that the front door will remain the same.

Doug Canull stated that the main entrance will be in the front into a vestibule. The stairs will have an entrance off to the right and there will be a door off the vestibule for the first level office.

Mrs. Plavchak asked about the number of employees in these two offices.

Ms. Helart stated that the space is very small and would only accommodate a reception area and office. She anticipates an insurance agent and a secretary, only two or three people on each floor.

Mrs. Plavchak asked about the number of cars for the parking.

Ms. Helart felt only two tenants at a time would be in the commercial kitchen. She thought there were nine parking spaces.

Mrs. Conn stated that in Old Town the parking requirements are reduced by half.

Mr. Canull stated there were seven dedicated parking spaces, six in the back and one or two on the drive.

Mrs. Conn stated that the gravel parking would benefit the storm water and the Urban Forester recommended gravel.

Mrs. Torres asked if the footprint of the house had changed.

Ms. Helart stated they were not adding any structures. Only dormers would be added in the front and back.

Mr. Hawkins asked about alley access to the parking.

Ms. Helart stated that they had looked into that and found that the City owns the alleyway. Access to this property will be from the drive.

Mr. Hawkins asked about the hours of operation.

Ms. Helart stated that it could be used at any hours that would be convenient.

Mr. Hawkins asked if there was anything in the Overlay regarding hours of operation.

Mrs. Conn stated there was no regulation for hours of operation.

Mrs. Torres moved to approve **Docket Nos. 05050043 UV and 05050045 V, Commercial Kitchen.** The motion was seconded by Mr. Broach and **APPROVED 4-0.**

Follow up: Ms. Helart stated that the house had been empty about six years. It had been a rental property and the tenant ran an antique business. It was full of antiques. It had not been air or water tight and there had been animals in the house.

13h. Heather Knoll, Sec 2: Amenity Area

Petitioner seeks special use approval to establish an amenity area:

Docket No. 05050046 SU Chapter 5.02 special use in the S-1 zone

The site is located at approximately 2830 West 141st Street.

The site is zoned S-1/Residence - ROSO.

Filed by Ed Fleming of Stoepelwerth & Associates for PPV, LLC.

Present for the Petitioner: Ken Brasseur, Vice President and one of the principals of Platinum Properties, 9551 Delegate's Row, Indianapolis, who is the manager for PPV, LLC. Also present were Steve Broermann from Platinum Properties and Ed Fleming from Stoeppelwerth & Associates. Mr. Brasseur shared a plan of the area and the amenity facility. It will consist of a swimming pool, wading pool, pool building and bath facility, basketball court, playground and parking.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. There was a typographic error in the Department Report. This site will not have tennis courts. The site is centrally located in the subdivision and is adjacent to the lake and pedestrian path for the residents. Amenity areas are seen as complimentary uses to residential area. The Department recommends positive consideration of the docket.

Mr. Broach asked if lots 79 and 80 were homes and if they were built.

Mr. Brasseur stated that this was Section 2 and the homes had not been built at this point. The amenity area will be completed about the same time as the infrastructure for those two lots. The path goes all the way around the lake.

Mrs. Torres asked if it was a 25 yard pool compatible for a neighborhood swim team.

Mr. Brasseur stated that it was a small community and they committed to a 2000 square feet L-shaped pool with lifeguards while it is open. It will not be a lap pool. The commitment will be passed to the Homeowners Association.

Mr. Broach moved to approve **Docket No. 05050046 SU Heather Knoll, Sec 2: Amenity Area**. The motion was seconded by Mr. Hawkins and **APPROVED 4-0**.

14h. LongRidge Estates, Sec 1: Amenity Area

Petitioner seeks special use approval to establish an amenity area:

Docket No. 05050047 SU Chapter 5.02 special use in the S-1 zone

The site is located at approximately 13800 N Shelborne Rd.

The site is zoned S-1/Residence - ROSO.

Filed by Ed Fleming of Stoeppelwerth & Associates for PPV, LLC.

Present for the Petitioner: Ken Brasseur, Vice President and one of the principals of Platinum Properties, 9551 Delegate's Row, Indianapolis, who is the manager for PPV, LLC. Also present were Steve Broermann from Platinum Properties and Ed Fleming from Stoeppelwerth & Associates. Mr. Brasseur shared a plan of the area and the amenity facility. It will consist of a swimming pool, wading pool, pool bath house facility, basketball court, playground, tennis courts and parking. It is similar to the Heather Knoll project just discussed. They are making the same commitments to have a 2000 square feet L-shaped pool with lifeguards while the pool is open. The commitment will be passed to the Homeowners Association.

Public comments:

Marcia Henry, 13850 Shelborne Road, just north of the project. She wanted to know about the lighting, hours of operation for the different items and approximate feet from Shelborne Road.

Rebuttal:

Mr. Brasseur stated that there would be no lighting on the tennis courts, basketball courts or parking. The only lighting would be around the pool for safety. There are usually three or four columns with lighting for safety and some down-lighting under the eaves of the building. The hours of operation for the swimming pool would probably be 9:00 or 10:00 am until around 8:00 pm. It will not be open after dark. The other facilities would be limited to daylight hours because there is no exterior lighting. He thought it was at least 150 feet from Shelborne Road including the 50-foot right-of-way. They will put extensive landscaping along the buffer area.

Mrs. Conn gave the Department Report. This is similar to the prior petition. There is a 10-foot pedestrian path close to the site for easy access. The Comprehensive Plan states that residential areas should be serviced by facilities similar to this one. The Department recommends positive consideration.

Mrs. Plavchak had questions regarding the number of homes and size of the pool.

Mr. Brasseur stated that LongRidge Estates has 180 homes. These Pulte homes are on 90-foot lots and the homes are \$350,000 to \$500,000. The pool will be three to five feet with the wading pool twelve inches.

Mrs. Plavchak questioned the pool being L-shaped instead of a long pool. At 2000 square feet it could possibly be long enough to use for swimming and a neighborhood swim team. She felt with that many houses with families, the residents would want a larger useable pool with a diving board and a neighborhood swim team.

Mr. Brasseur stated that the insurance was ungodly for a diving board. All of the Homeowner Associations they have dealt with do not want diving boards. They are concerned with liability. They felt it should be their decision for the configuration of the pool that they wanted for the facility. They had discussed it with the builder and they liked the configuration. He thought it was almost 50 feet long with a shallow end for smaller children. It is not a regulation size pool but it is long enough that people can swim laps or practice.

Mrs. Torres felt a pool that was four to five feet deep was what the developers were building because it works for them and is not in the interest of the neighborhood. Four feet is difficult for a small child to stand or play in. Why not do it right and put a lap pool in and have aerobics classes, lap swimming and swim team.

Mr. Brasseur stated that it is three to five feet in the shallow area and they have not had a lot of complaints. They find that a lot of people want to play. If it is set up totally for a lap pool then people cannot play. They can take this information under advisement for future developments. If this becomes an issue, they can get feedback from the associations. They do not have an ulterior motive, but this seems to have worked well in the past.

Mrs. Plavchak asked about a clubhouse for a neighborhood meeting place.

Mr. Brasseur stated that it was a matter of economics for only 180 homes to pay those kinds of fees for a pool and a clubhouse. There are two small pavilions in the amenity area.

Mr. Broach asked when this would be turned over to the Homeowners Association.

Mr. Brasseur stated that the covenants indicate there are a couple of different times when ownership is turned over to the Homeowners Association. It could be either when it is 80 percent occupied or when there is a timeframe that is appropriate. They initially have a management company operating the Homeowners Association. It is actually owned by the HOA, but they maintain control of the HOA until there is enough build out.

Mr. Broach asked that since the homeowners will control it at some point then they could reconfigure it if they wanted.

Mr. Brasseur stated that it will be deeded over to them as part of the infrastructure cost. They will elect their own board and decide how they want to maintain it.

Mr. Hawkins asked about the parking for 180 homes.

Mr. Brasseur stated that it is very consistent with what they have done in the past and there have not been any negative comments with regard to parking. A lot of people walk to the facility. There is also a lot of common area along the side. There are not a lot of houses adjacent to this.

Mr. Broach moved to approve **Docket No. 05050047 SU, LongRidge Estates, Sec 1: Amenity Area**. The motion was seconded by Mrs. Torres and **APPROVED 4-0**.

15h. Clayborne, Sec 3, Blk N: LongRidge Estates Lacrosse Fields

Petitioner seeks special use approval to establish lacrosse fields:

Docket No. 05050048 SU Chapter 5.02 special use in the S-1 zone

The site is located at approximately 13800 N Shelborne Rd.

The site is zoned S-1/Residence - ROSO.

Filed by Ed Fleming of Stoeppelwerth & Associates for PPV, LLC.

Present for the Petitioner: Ken Brasseur, Vice President and one of the principals of Platinum Properties, 9551 Delegate's Row, Indianapolis, who is the manager for PPV, LLC. Also present were Steve Broermann from Platinum Properties, Ed Fleming from Stoeppelwerth & Associates and Brad Little, Executive Director for the Carmel Dad's Club. Mr. Brasseur stated the fields are adjacent to LongRidge Estates. There will be three lacrosse fields and a parking lot. The property has been donated to the Dad's Club out of the subdivision.

Brad Little, Executive Director for the Carmel Dad's Club, 5459 E. 131st Street. The Dad's Club continues to grow with over 4000 youth just finishing the spring sports season. This contribution ties into the growing lacrosse program. He went over the Commitments that would be upheld and enforced by the Dad's Club. They will maintain the fields which will not have lights. They will use the three fields in the spring for boys' and girls' lacrosse. Currently the lacrosse program has been spread between Badger Field and Town Meadow Elementary on Sundays because there was no other space. They will have 10 boys' teams and 6 girls' teams using all three fields for practice Monday through

Thursday with nothing scheduled for Fridays. Saturday games will be from 8:00 am to 5:00 pm with staggered start times. Sunday will only be used for make-up games from 1:00 pm until 4:00 pm. The season would be March 15 through June 15. In the fall they would like to use them for the fifth and sixth grade football program. That program is currently stretched between Wodock Field behind Carmel Elementary and Badger Field. The season would be August 1 through October 31 with commitments similar to the spring schedule. They would only be programming the fields six months. The other months would be available for LongRidge Estates and Clayborne residents as open space. They will provide off-duty officers for both seasons to direct traffic in and out of the facility on game day. They will keep the entire facility free of debris and trash and dismantle the lacrosse goals at the end of the spring season and the football goals at the end of the fall season. They would meet with the adjacent Homeowners Association representatives fourteen days following the completion of each season to discuss how they felt things went and work through any issues. They would also apply special care with applying fertilizers and insecticides. They do have a certified applicator on staff. He showed a chart of the staggered start times. Essentially they would use all three fields and start field #1 at 8:00 am, field #2 at 8:30 am and field #3 at 9:00 am. There will be ninety minutes between start and end times with field #1 beginning again at 9:30 am. They are projecting parking at 160. Each team has a maximum of 15 players. They are assuming 35 cars per field per game. Football game time is less than one hour so there would be plenty of time for cars to enter and exit.

Public comments:

Roger Kanne, 1805 Knaphill Court, past President of the Carmel Club Lacrosse team, not for profit club, not associated with the Carmel High School. At the high school, they have 70 to 90 boys who participate in lacrosse. It is the fastest growing high school team sport in the country. To continue to grow, they need to develop a feeder system into the high school that starts with the Dad's Club. There is no other facility like this one. This is crucial for maintaining the level they want at the high school and for kids to play at a higher level.

Ken Tomozawa, 3711 Brunswick, has coached in the Dad's Club. It is a growing sport that hasn't had room in the past for participation. The equipment is the same for the boys' and girls' teams. With carpooling they have not had trouble with parking. Being a relatively new sport, they have not had a lot of spectators adding to the parking.

Tom Coons, 10899 Trumbull Circle, Dad's Club Commissioner for lacrosse for two years. He is a former lacrosse player. He was involved in the lacrosse program in St. Louis and watched it grow. He felt Carmel needed to set a precedent and grow with the sport.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. This would be very good for the western part of Clay Township. The Comprehensive Plan states that this type of usage compliments the residential area. The Department recommends positive consideration of the docket with the recorded commitments.

Mr. Broach asked if the homes are built in the adjacent neighborhoods or would this be a surprise.

Mr. Brasseur stated there are some homes built in Clayborne which is south of the fields. LongRidge Estates on the north is under construction for streets.

Mrs. Conn said that it is indicated as open space and the petitioner has come with this amenity. The developer of Clayborne has no negative comments.

Mr. Little indicated that it would be owned maintained by the Carmel Dad's Club.

Mrs. Torres asked what grade would start lacrosse.

Mr. Little stated that it would be third and fourth grade boys and girls.

Mr. Hawkins asked about restrooms and concessions for the facility.

Mr. Little stated that they have asked the developer to bring utilities to the property. They would have temporary restrooms until a later date when they would come back for approval. With only three fields, it would not be a very large concession and would be used primarily for storage and restrooms.

Mr. Hawkins stated it looked like there would be 90 youth and 152 parking spots. He thought it was 2.0 spaces per child at the soccer fields on River Road. He was concerned about the lack of space for overflow.

Mr. Little stated that soccer teams do not have set rosters and carry more members on their teams. The teams using this facility will be set at 15 or less per team.

Mr. Hawkins asked Mr. Molitor if Commitments #1 and #4 were inconsistent. Number 1 states "...no other propose unless approved by Carmel Dad's Club Board of Directors" then it itemizes what could occur under #4. It identifies a couple of different programs and then #1 says they can add.

Mr. Little stated that outside groups would need to be reviewed, so people don't just show up and use the fields for a carnival or some other event.

Mr. Molitor stated that expansion would be prohibited by striking "unless approved by Carmel Dad's Club..." It would read "The athletic fields shall be used for their intended purpose only by the Carmel Dad's Club and the community residents and for no other purpose."

Mr. Little agreed to strike the phrase and adjust the Commitment as read by Mr. Molitor.

Mrs. Torres moved to approve **Docket No. 05050048 SU, Clayborne, Sec 3, Blk N: LongRidge Estates Lacrosse Fields**, with the amended Commitments. The motion was seconded by Mr. Hawkins and **APPROVED 4-0.**

I. Old Business.

There was no Old Business.

J. New Business.

There was no New Business.

K. Adjourn.

Mrs. Torres moved to Adjourn. The motion was seconded by Mr. Hawkins and **APPROVED 4-0**.
The meeting was adjourned at 8:00 PM.

James R. Hawkins, President

Connie Tingley, Secretary